IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

CONTEMPT PETITION NO.3 OF 2005.

IN

COMPANY APPLICATION (L) NO. 254 OF 2004

IN

COMPANY PETITION NO. 34 OF 1997

PATTON ELECTRO LTD. ... PETITIONERS.

VS.

ASIA TELEVISION NETWORK

LTD & ORS. ... RESPONDENTS.

MR. A.S.DOCTOR ALONGWITH MS. V. MIRASEE I/B. SHAH & SANGHVI FOR THE PETITIONERS.

MR. D.H.MEHTA ALONGWITH SHWETA PATRAWALA I/B. DIVYA SHAH & ASSOCIATES FOR RESPONDENT NO.5.

MR. U.S.PATOLE, ASSISTANT OFFICIAL LIQUIDATOR FOR RESPONDENT NO.1. COMPANY IS PRESENT.

Coram : S.K.Shah, J.

Date : September 9, 2005.

P.C.:

1. Heard.

2. The grievance made against the Respondents for committing breach is of the Order passed by this Court,

in the company Petition (Lodging) No. 254 of 2004. The Order runs as under :-

> "Pending hearing and final disposal of the Civil Application the Official Liquidator, High Court Bombay, directed to take appropriate steps against the respondent Company and issue the Noticek to the Companies, i.e. (i) ATN International Limited and (ii) CKT Communication Pvt. Ltd. not to use the word "ATN" and its logo anywhere."

3. It is submitted that the Respondent- Company replied the Notic issued by the aforesaid Official Liquidator, pursuant to this Order, making it clear that they are not using the Logo and making use of the word "ATN" and that they were not party to the petition etc.

4. Under the circumstances, the allegations against the respondents would not fall under the contempt petition because the directions which are given as aforesaid, are directions to the Official Liquidator and if any grievance has to be made, it has to be made against the Official Liquidator for not taking steps, action etc. and that should be made in the Company Petition and not by way of contempt petition. Therefore, the contempt petition is not tenable and is

disposed of accordingly.

[S.K.Shah , J.]